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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,668	06/25/2001	Meng Yao	D/A1265	8867

7590 12/02/2005

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EXAMINER

HUNTSINGER, PETER K

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/888,668

Applicant(s)

YAO, MENG

Examiner

Peter K. Huntsinger

Art Unit

2624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11/18/05 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-15.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

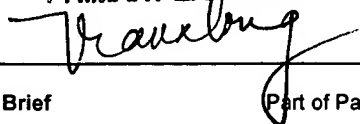
8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.



DOUGLAS Q. TRAN
PRIMARY EXAMINER



Response to Amendment

1. The proposed amendments to the claims will not be entered since the proposed amendments would require further consideration and/or further search. Additionally, the proposed amendments are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

Response to Arguments

2. Applicant's arguments filed 18 November 2005 have been fully considered but they are not persuasive.

Applicant argues on pages 9 and 12 of the remarks that:

In Stanich, if one uses the checkerboard pattern, one cannot place the black pixels on white squares for black dither of 50% or less.

a. Examiner respectfully disagrees. Stanich et al. disclose not placing pixels vertically or horizontally adjacent to each other until after a gray level threshold (col. 5, lines 30-36). Utilizing the checkerboard pattern (col. 5, lines 16-19), this limits using a constrained checkerboard pattern until a gray level threshold is reached. After the threshold is reached a new clustering criteria can be set to only place black pixels horizontally or vertically next to preexisting black pixels (col. 5, lines 23-36). A g.sub.1 level of 100%, a g.sub.2 level of 50%, and a g.sub.3 level of 0% would fulfill the limitation $g.sub.1 > g.sub.2 > g.sub.3$.

Applicant argues on page 10 of the remarks that:

Stanich does not teach or suggest an initial screen pattern being designed to provide a visually pleasing, blue noise dot pattern when thresholded.

- b. Examiner respectfully disagrees. Stanich et al. discloses a blue noise screen (abstract).

Applicant argues on page 13 of the remarks that:

Stanich does not teach or suggest using two different clustering criteria for different sets of gray levels.

- c. Examiner respectfully disagrees. Stanich et al. disclose not placing pixels vertically or horizontally adjacent to each other until after a gray level threshold (col. 5, lines 30-36). Utilizing the checkerboard pattern (col. 5, lines 16-19), this limits using a constrained checkerboard pattern until a gray level threshold is reached. After the threshold is reached a new clustering criteria can be set to only place black pixels horizontally or vertically next to preexisting black pixels (col. 5, lines 23-36).

Applicant argues on page 14 of the remarks that:

Stanich and/or Chen do not teach or suggest changing the constraining pattern as claimed at the levels claimed.

- d. Examiner respectfully disagrees. Stanich et al. disclose changing the constraining pattern at a gray level (col. 3, lines 29-31). Chen et al. disclose specific gray values (Fig. 3). Stanich et al. and Chen et al. are combinable

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because they are from the same field of halftoning. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to change the constraining pattern at a particular gray level. The motivation for doing so would have been to eliminate objectionable periodic patterns in the halftone and thus increase image quality (col. 8, lines 3-24 of Stanich).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH

DOUGLAS Q. TRAN
PRIMARY EXAMINER